IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

Bail Appl..No. 4352 of 2007()

CRMP.2233/2007 of J.M.F.C.,THIRUVALLA

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: PETITIONER/ACCUSED NO.1 & 2

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1. JOSEPH, S/O.OUSEPH,
PATHINANJIL HOUSE, VADAKKUMMURI, KAVALAM VILLAGE,
KUTTANADU.

2. RAJAN, S/O.GANGADHARAN,
AJI BHAVANAM, VALLIKUNNAM VILLAGE,
MAVELEKARA TALUK.

BY ADV. SRI.C.S.MANILAL

RESPONDENTS: RESPONDENT

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 4352 of 2007

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Dated this the 16th day of July, 2007

O R D E R

Application for regular bail. The petitioners face allegations under the Kerala Abkari Act. They were allegedly found to be in possession of 35 litres of spirit on 13.6..2007. They were arrested and continue in custody from that date. The learned Prosecutor submits that the petitioners have no criminal antecedent at all.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the Investigator is given 60 days from the date of arrest to complete the investigation and I am satisfied that the petitioners can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall not be released from custody on the strength of this order prior to 25.7.2007. The police shall in the meantime make every endeavour to complete the investigation.

(b) They shall execute bonds for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) They shall make themselves available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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